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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CAPITAL VENTURES INTERNATIONAL,

Plaintiff,

v.

NETWORK COMMERCE, INC.; DWAYNE M. WALKER, Individually and as Chairman of the Board of Directors, Chief Executive Officer and Chief Operating Officer of Network Commerce, Inc.; ALAN D. KOSLOW, Individually and as the Former Executive Vice-President, Chief Financial Officer, General Counsel and Secretary of Network Commerce, Inc.,

Defendants.

Case No. C02-0682RSL

**STIPULATION AND ORDER RE:  
DEPOSITIONS OF STELLMAN  
KEEHNEL, ROGER MELLEM, AND  
WILLIAM HARVEY**

Plaintiff Capital Ventures International and Defendants Network Commerce, Inc., Dwayne Walker, and Alan Koslow, through counsel, hereby stipulate as follows:

(1) The discovery deadline for conducting the depositions of Stellman Keehnel, Roger Mellem, and William Harvey (collectively, the “Law Firm Witnesses”) is deferred pending the Court’s ruling on Defendants’ Motion For Partial Summary Judgment Or, In The Alternative, For Bifurcation [Docket No. 159] and Plaintiff Capital Ventures International’s Cross-Motion For Partial Summary Judgment [Docket No. 175] (collectively, the “Pending Motions”).

(2) The parties may conduct depositions of the Law Firm Witnesses following the Court's ruling on the Pending Motions.

Oral argument on the Pending Motions has been set for May 24, 2006. The purpose of this stipulation is to minimize the burden and expense of depositions that may be unnecessary based on the Court's ruling on the Pending Motions.

STIPULATED TO this 2<sup>nd</sup> day of May, 2006.

**DLA PIPER RUDNICK GRAY CARY US LLP**

s/ Christopher Huck

Stellman Keehnel, WSBA No. 9309  
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Christopher Huck, WSBA No. 34104

Attorneys for Defendants

**SAVITT & BRUCE LLP**

s/ Duffy Graham

James Savitt, WSBA No. 16847  
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Stephen Willey, WSBA No. 24499

Attorneys for Plaintiff

**IT IS SO ORDERED.**

DATED this 3rd day of May, 2006.



Robert S. Lasnik

United States District Judge